G. R. S. IX-5]

Previous references.

05

1920.

(Mar)

File No. 354

Serial Nos.

1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Return
MR MAR

Part B for July 21

SUBJECT.

Lease of inam lands endowed to the Sri Mahadeswaraswami temple at Malepa in the Kanchanhalli Taluk

---

DC. Bangalore, Rev Commr, Mr. Hyde

456-8 Dy 29. 7 21

Passing orders re

CK 23

WD 1888—GPB—16,626—23-7-21

GENERAL AND REVENUE SECRETARIAT.

(Judicial)

NOTES.

File No. 354-20

FILE HEADING.

Lease of the wiam lands enclosed to Sri Mahadeeswara Swamy temple at Malegaal in the Kankanhalli Taluq.

From

Mr H. Srikantiah, Clerk. S.R.S.

No. Petition Dated 16.1.21 Received 16/1/21

Diary No. 1483	Enclos	Spare Copies –	Serial No. 5

BRIEF ABSTRACT OF LETTER.

Appeals against the Dy. Comrs order dismissing the petition that the lease of the said lands in favour of the highest bidder, cannot be cancelled, and given to the petitioner who failed to bid for the lands though he was present at the

NOTES AND ORDERS.

the time for making over the stay order on the case.

The petition is duly stamped & written on the original Nor an interlocutory one.

the Dy. Comrs order is of 30.12.20, & the

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Revn File No. 354 of 1920

Serial No.

against, has been produced.
A copy thereof produced with the appeal petition, is flagged.
May the apltt be asked to produce the original order of the Dy. Comr. appealed against?
Submitted
25.1.21.
29/1

1/2/21 Order: Submitted
1.2.21 1/2/21

Issue
1/2/21

2 2 2. H Srikantiah. Clerk Revenue
2585 dt 2nd Feby 21
Returned to be taken up on proper stamps & typed
order appealed against.

3 From, Smt H Srikantiah,
Petition dt 2.2.21
Produces the original order
issued by the Dy Comr
in respect of
Srikantiah praying that the lease

NOTE—Contn sheet

Serial No.

of the inam lands endowed to Sri Mahadeswamy Swami temple at Malagal, Kankanhalli Taluk, in favor of one Sampangiah, may be cancelled, and the lands be granted to him for the highest bid amount, the Dy. Commr. has ordered that as Mr. Srikantiah, ~~failed to be present~~ present at the time of sale, ~~and~~ offered his bid, his present offer cannot be accepted.

Against the said order Mr. Srikantiah has appealed to me praying that the lease of the lands may be confirmed to him on the highest bid amount secured in the auction sale. And that further proceedings may be stayed pending final disposal of his appeal. My learned Counsel Mr. Shanta Rao has argued in support of the grounds urged in the petition.

3-2-21.

3/2/21

Upheld by Full Bench.

3/12/24

AV 3/2/21

G. R. S. III-2]

General and Revenue Secretariat.

MNZ File No. 354 of 19 21

Serial No.	
	Mnz. D. no 41–1905 containing Endt. no. 581 Dy 25. 8. 1919 to Submitted.
	8/2/21
	Another petition has been received today. Please take it & submit. 8/2/21
MNZ 4	From Mr. H. Sreekantiah, Petition Dy 10. 2. 1921. Submits the Taluk Dstikaar fixing the date of the Sale of a portion of S. no. 379 endowed to Sri Kodadeeshwara Swami temple, as the 16th inst. & the sale not taking place on that portion the property will be auctioned on the 11th inst. & that at the time, only 1 person was present. With regard to the matter, the petn makes observations and casts aspersions attributing motives to the local authorities, as the reason that one Sampangiah has leased the lease for only Rs 50/- per annum.
B.	

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Mwz File No. 354 of 19 20

Serial No.

his min Fee of Rs 8 c/ for the year 1920. He prays that a stay order may issue to the local authorities, and that the entire records of the case may be called for together with his previous registered lease bond and that of Sampanjah for 1920 as well as his petition praying for the renewal of the leases.

Submit for order

11-2-921

In this office letter No. 2197/Mins 6-06 dt 7-6-09 and Govt. No. 581/Mins 6-06 dt 25-8-09, the land in question was ordered to be ~~disposed~~ let on a 1 yr Pet. Mr. Wickramasinghe for a lease on written contract if he agreed to pay as much as any other person. He had the land in his possession up to 1919, and when the question of lease of the land came up for decision, the Govt. issued Govt. No. 5150 of 20-9-21 dt 21-9-20 that in fu

Y 7e x

NOTE.—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 354 of 1920

Serial No.

Order of 7.6.09. The land would be returned to him for any amt. bid by them and not for a less sum. In spite of this order which is inconsistent with the previous order of 7.6.09 and Endt. of August 1909, he issued Endt. No. 580 of 20-4 & 30.12.20 stating that as he did not attend the auction & bid for the same, his bid could not be accepted. Mr Sontakke says that a bid for one Sampagaji for Rs. less than was accepted.

Whatever may be the merits of Sampagaji or local authorities in the matter, there seems to be some cause for complaint on the part of the Petr. Mr Sontakke in as much irregularity in the procedure adopted by the local authorities in the face of the order of 7.6.09. The case seems to be one for stay of proceedings and for calling for records with report. The sale has been ratified by the Collr on 16.2.21.

Submitted for orders

RG
11/2/21

NOTE.—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 352 of 1970

Serial No.

Further proceedings may be stayed and the D/Comm be requested to send a representative (Board Member) Sd/ 11/2/21

4021-113
12-2-21.

approved
Sd/
15.2.21.

Draft cmt 15/2/21

Draft cmt
Sd/
15/2/21

Jmc
CMS 15/2/21

Draft cmt vacated
Hearing is vacated

Sd/ 16/2/21

Jmc
CMS 16/2/21

5 To, Dy Com.
Ord. No. 2-17 dy
Fixing the petns for hearing of representation & all
his other cases, be-he
M. 2888 dy. 11.2.
Informs of the date

NOTE—Contn sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Mag File No. 354 of 1920

Serial No.

6

From, the Dy. Comr Bangalore Dist.
Letter no. 886 Dy 2-6-1921.
Submits report with records on the appeal petition of H. Srikantiah.

W

The Dy Comrs report under reference and the Amildars report no. H.C. 597 Dy 20.2.21 explain fully the facts of the case.

The lands endowed for Sankarpane during the Rathotsava of Sri Mahadeswara Swami temple at Malaya, Kankanhalli Taluk, are noted below.

F

(1) one-half of Sy. No. 380 (Dry) - 8 0, assessed at 8-0
(2) " — 432 (wet) 0-37 3-8-0

Both these lands were sold for three years in an open auction sale on 21-12-20, and one Sampangiah was the highest bidder, the lease-amount being (30 Rs + 20 Rs) 50 Rs.

The other Sy No is one-half of Sy. No. 379. By oversight, the sale was not conducted then, but Sampangiah, bidder, on having pointed it out to us, it was sold on 17.2.21 and the Sampangiah offered his highest bid for Rs 60/-. Thus the 3 endow-

I

NOTE—Contn sheet

G R 3. III-2]

General and Revenue Secretariat

Nuez File No. 354. of 1920.

Serial No.
	lands have fetched Rs 110/- in the auction sale
	The lands are in the possession of the auction-purchaser, and the Amildar has ordered him not to remove the crops without his permission.
W	
H	Mr. H. Srikantiah prays that under rules conveyed in Comr's no. 2197 dy 7.6.09, the lands may be leased out to him for the bid amount fetched during auction sale.
	For reasons given in detail in para 4 of the letter under reply, the Dy. Commr has rejected Srikantiah's offer in favour of Sampangiah, who obtained the lease in open Court petition.
	In regard to the subsequent sale of S. no. 379, Mr. H. Srikantiah has attributed motives to the local authorities in omitting the sale of this land; the Amildar points out that when Srikantiah took up the lease of these lands in 1914, he has mentioned only
H (Petition dy 10.2.24 & this file)	

G R 3 III-2]

General and Revenue Secretariat

MRS File No. 350 of 1920.

Serial No.

S. No. 3 (432380) in his regd deed dt 1-6-14, and has omitted mention of S. no. 379 therein

Submit for orders Perhaps he will explain why he made the mistake in person

28.4.21 29.4.21

Let the Case-worker bring the file in person

29/4/21

What are the S. nos endowed by Lottamma to the temple? (what is their number & what is their Assessment?) What are the lands in which the Srikarikans wife is interested?

14/5/21

Send out a notice to attend land the order Varlgter

14/5/21

Send out a notice to attend land the order Varlgter

14/5/21

14/5/21

[illegible]

NOTE—Contn. sheet

2062

G. R. S. III-2]

General and Revenue Secretariat.

File No. 354 of 1920

Serial No

This land is split up into S.Nos. 379–380, measuring 10 Es (after deducting 6 Guntas of kharab), and assessed at Rs. 6 0.

(i) Mamlatdar, —
Maji no — Rajaram
371. 5–
S. no (wet) 432– 0

(ii) It is mentioned in the
[illegible] that the
old Survey no. 19) [illegible]
Sirastedar's [illegible]
for [illegible]

(iii) no clear [illegible]
is available. [illegible]
Secretary's [illegible]
Seen that one [illegible]
has [illegible] alone.

In this
year 1918, the
medium of
And 4 Es

Sd. /

19.5.21. 19.5.21

NOTE—Contn. sheet

Serial No

One Lekamma made a Gift of one-half of Mayi No 391, a Land (which has been treated as Survey Nos 379 and 380) and also the whole of Mayi 371, a ~~Vayakat~~ Land Conveyance D.S. No 432 to the Mahadevaraya Temple at Malayal Kankanhalli Taluk in 1894 — She also made a Gift of the other half of Mayi No. 391 to her daughter who is the wife of the appellant.

Disputes arose between the Servants of the Temple and the appellant's wife led to Quarrels between them, the appellant made a representation to Govt and it was ordered on 7-6-1909 that there seemed to be no objection to letting out the Land to the pers for a term on a written Contract if he agreed to pay as much rent as any other person. This Order relates apparently only to Mayi No ~~380~~ 391 for appellant's wife has no Share in Mayi No ~~391~~ 371.

NOTE—Contn. sheet

R. S. III-2]

General and Revenue Secretariat.

Huz File No. 354 of 19 22

Serial No.

In pursuance of this order, appellant was in possession of the land for ~~four~~ years from 1914-15, ~~paying~~ paying an annual rent of Rs 80-

It is not clear who cultivated the land in 1918-19. Sampangya was the tenant in 1919-20.

On a representation made by appellant about the lease of the land to him from ~~1920~~ 1921-22, the Dy Commr gave him an undertaking on 21-9-20 that the land would ~~be~~ be let out to him in pursuance of the your order, dated 7-6-1920 for such (highest) amount as may be offered by others and for no smaller sum. Having varied this order, by was the duty of the Dy Commr, to have found the highest rent that he could get for the land, without rendering himself liable to accept his offer? for the object in ascertaining the amount that could be got for the land was to find out if appellant was willing to pay the same sum on behalf of

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 352 of 19 27

Serial No.

his wife - But the D.C ordered the sale of Subhadra to be sold by public auction. This he should not have done for the moment the highest bid was accepted, there was a legal delay again to confirm the sale, in the absence of ~~[illegible]~~ Material irregularity or illegality in publishing or conducting the sale. He ought to have called for tenders without an understanding that the highest or any offer would be accepted. The appellant had notice of the sale and he might have taken objection & if not he did not do so.

At the sale Sampangi took up S. No 380 (half) for Rs 30 379 (half) for Rs 60 and the whole of S. No 432 for Rs 20, for a period of 5 years. The sales have not yet been confirmed -

There can be no objection to the confirmation of the sale of S. No 432 since the whole of it belongs to the temple and there

NOTE—Contn. sheet

General and Revenue Secretariat.

File No. 382 of 1920

Serial No.

Appellant is no Lakelihood of the tenants & their landlord quarrelling with each other.

The sale of the other two lands is opposed to the spirit of the instructions of Govt conveyed on 7 June 1909 as well as to the endorsement issued by the Dy Comm to the Appellant on 21-9-20. In these circumstances, the sale may be regarded as having been conducted in lieu of the Dy Comm's jurisdiction and set aside. And the privilege of cultivation given to appellant for a period of one year, for not less than the sum offered by Sampia at the sale.

To prevent future disputes, S. nos 379 and 380 may be divided and boundary may be fixed between the portions belonging to the temple and the appellant's wife.

First Member

6263-760
27.5.21.

W. 26/5/21

I agree in the circumstances. Expressed

S.? has gone beyond the terms of the [illegible] but this has got the ach right. In the same time it seems to me that it is much

NOTE—Contn. sheet

G. R. S. III-21

General and Revenue Secretariat. | Mrz File No. 354 of 19 21

Serial No.

of the Petitioner. Mr. Srikantaiya is also open to criticism. As a first special — in the G+RS — he shd have known better & he shd have put in his representation to the D.C. before the Auction took place & protected his interest & this he failed to do.

What does Mr. Ganachari C Hony Asst. B'lore City Mcpl. Cl. D.C. letter of 29.4.21. refer to? What bearing, if any, has it upon this case?

Rees
28.5.21.

[D.O. Dy 29.4.21 addressed to the Mrz. Supdt by the city municipal office has come into the file by mistake. It has no bearing on the present case & is returned — This has been withdrawn & will be separately submd]

Mrz
29.5.21.

Please put up this with the papers

RL
31.5.21

Draft G.O. returned

Mrz
2.6.21.

3/6/21

Submitted for Govt's orders.

Mrz
3/6/21.

Yours Obediently
R Rees
3/6/21

9.7.0.

NOTE—Contn. sheet.

R. S. III-21

General and Revenue Secretariat. | File No. of 19

Serial No.

6462-86

6.6.1921.

I

Draft approved -

Rec'd

7.6.21.

Forwarded to the Rev Sec for Remarks

12/6/21

Submitted.

11.6.21

(Rev. Sec.)

13.6.21

There seems to be nothing for the Rev Dept to note upon, except with regard to the direction in the last para (6) of the draft to subdivide S.Nos 379 and 380 (each) into two equal parts. The areas of the said S.Nos are said, to be 6 acres 15 guntas and 8 acres respectively. As the minimum area for sale of dry lands in the Bangalore Dt is 4 acres the minimum will be satisfied in respect of S.No 380 but will fall short (~~2 acres 1/2 guntas~~) by 32½ guntas of S.No

Note—Contn. sheet.

R. S. III-21

General and Revenue Secretariat.

File No. 357 of 1920

Serial No.

379 (which measures 6.15 gunlis) is divided into two equal parts. This however can be done if authorised by Govt as even the Dev cannot as per enhanced powers conferred on Dev Cannot etc (vide ~~Section~~ proviso to Section 109 of the L.R. code. The draft may therefore issue

Submitted for orders

18.7.24

19

I agree.

[redacted]

Pass on to mus-Sectt

sd

19.7.24

To Revenue Sectt

The Rap-order has been approved by the first member signed & by the Rev: Secrett. May it issue?

sd

20.7.24

Yes C/20/7/21

7 To, D.C. Bangalore, Rev. Commr; Survey Supdt & Copy to the Rev. Sectt.

Ord. 456-8 dt. 29.7.21

Passes orders re Grant of the lands endowed to Sri Mahadeveeswara Swami temple at Malagal, Kunigal Tk.

15

NOTE—Contn. sheet.

1 1921

To 20-21

T P

The Secretary to the Government
of His Highness the Maharaja of Mysore,
Muzrai Department.

Sir,

I, the undersigned, H. Srikantiah, clerk of the Revenue Secretariat, Malleswaram, Bangalore, beg to appeal on the orders of the Deputy Commissioner, Bangalore District, re: the sale of the right of the lease of a portion of an Inam land of Budiguppe village, Kasaba Dakhle, Kankanhalli Taluk, endowed by my mother-in-law Seethamma to Sri Mahadeveswaraswami temple, Malagal.

As per Government endorsement No.581 MuxF.60-6 dated 25th August 1919 I took up the lease on an annual payment in advance of Rs.50 and the same was continued till the year 1919.

On my further appliation to the Deputy Commissioner and the Taluk Amildar for extending the period of the lease, I received the following endorsements :-copies of which are herein enclosed.

1. Deputy Commissioner's endorsement No.P.580 of 20-21 dated 21st September 1920.
2. Taluk endorsement (1) No.100 dated 21st November 1920
   (2) the Sale proclamation dated 12th November 1920.

From the above endorsements it is seen, that the Deputy Commissioner in his endorsement No.P.580 of 20-21 dated 21st September 1920 on the authority of the Government endorsement No.581 MuxF.6-06 dated 25th August 1909 has specifically stated that the lease shall be given to me to the very amount of the highest bid that could be secured at the auction sale.

In spite of the above Deputy Commissioner's order, the land was leased out without auction to one Sampangiah for the year "Rowdri" for Rs.80/- and the lease for the subsequent years was ordered by the Deputy Commissioner to be disposed of by public auction.

The date of sale of the right of the lease was fixed as per sale proclamation dated 12th November 1920, to 20th December 1920.

As I learnt that the sale referred to was conducted and the highest bid at the sale was from the same Sampangiah for Rs.50, I applied to the Deputy Commissioner to accept my lease as per Government endorsement No.581 Mux.F.6-06 dated 25th August 1909 and the Deputy Commissioner's endorsement No.P.580 of 20-21 dated 21st September 1920 for the amount of the highest bid fetched at the auction sale. But I am surprised to receive the Deputy Commissioner's endorsement No.N.Dis. on P.580 of 20-21 dated 30 th December 1920 (received by me on 7th February 1921). On this endorsement I have now appealed to you to bring

In this connection I beg to your kind notice the following few main points for consideration :-

(1) Sampangiah referred to is the very person to whom I had leased out the portion of the temple land after I took up the lease of the same from Government. It is with great diffiulty I got rid of the man from my lease on the 4th April 1920. He having ill-feeling ~~this man~~ worked up against my interest and took up the lease of the temple land for Rs.80 for the year "Rowdri".

(2) Again this Sampangiah if he had a good intention and earnestness in the transaction, he ~~has~~ would have arranged and bid for ~~only~~ Rs.80 instead of for Rs.50 which he took up for the year "Rowdri".

(3) There seems to be a difference between the extent of

e portion of the temple land shown in the registered endowment deed of my mother-in-law Seethamma in favour of the temple and that shown in the present sale proclamation dated 12th November 1920. If this discrepancy is correct, it is evident that Sampangiah has purposely been trying to get the lease for a lower amount with the object of enjoying the right of the full extent of the temple land as per registered deed without bringing the difference to the notice of the authorities.

(4) Whether my presence in the auction sale was absolutely necessary since it is clear from the Government endorsement No.581 Mis F.6-06 dated 25th August 1909 and the Deputy Commissioner's endorsement No.P.580 of 20-21 dated 21st September 1920 that the lease of the land shall be given to me to the very amount of the highest bid at the auction sale.

Under these circumstances, I beg you to kindly call for immediately the entire records together with my registered lease deed of 1914 and the lease bond of Sampangiah for the year Rowdri. I further request you to confirm the lease by receiving from me the amount of the highest bid secured in the auction sale of 20th December 1920. Further proceedings may kindly be ordered to be stopped till final decision.

I also request the favour of an endorsement in the matte

I beg to remain,

Sir,

Your most obedient petitioner

Bangalore
14th January 1921

H. Srikantiah

FILE No.

ಸಂಸ್ಥೆಯ ಸಾಮಾನ್ಯ ಸಭೆಯ ತೀರ್ಮಾನದಂತೆ ನಾನು
ತಮಗೆ ತಿಳಿಸುವುದೇನೆಂದರೆ —

ಸಂಸ್ಥೆಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದಿನಾಂಕ 11 ರಿಂದ ಸಂಸ್ಥೆಯ ಕಛೇರಿಯ ಕಾರ್ಯವನ್ನು ಮಾಡಿಕೊಂಡು ಬರುತ್ತಿರುವ ಶ್ರೀ [illegible] ಇವರನ್ನು ಕಿತ್ತು ಹಾಕಿ ಅವರ ಸ್ಥಾನಕ್ಕೆ [illegible] ಇವರನ್ನು ನೇಮಿಸಲಾಗಿದೆ —

ಸಂಸ್ಥೆಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ಸಂಸ್ಥೆಯ ಕಛೇರಿಯ ಕಾರ್ಯವನ್ನು ಮಾಡಿಕೊಂಡು ಬರುತ್ತಿರುವ ಶ್ರೀ [illegible] ಇವರನ್ನು ಕಿತ್ತು ಹಾಕಿ ಅವರ ಸ್ಥಾನಕ್ಕೆ [illegible] ಇವರನ್ನು ನೇಮಿಸಲಾಗಿದೆ

Received through
G.P.S.
on 9/2/21

To The Secretary to the Government of His Highness
1670 the Maharaja of Mysore.

20.21 354-20-4 MUJRAI DEPARTMENT.

Sir, In continuation of my appeal petition Dated 14th January 1921 against the Bangalore District Deputy Commissioner's order declining to grant the lease of a portion of an inam land endowed by my mother-in-law Seethamma, to Sri-Mahadeveswara Swami temple at Malagal, Kasaba Hobli, Kankanhalli Taluk, I beg to append hereto another sale proclamation Dated 3rd February 1921, received from the Taluk Office, fixing the date of sale of the lease of a portion of Survey No.379 which had been purposely omitted in the sale proclamation of December 1920. and to bring the following important points to your kind notice and consideration: —

(in original)

16 Febry 1921.

Copy appended to appeal petition.

(1) How the Deputy Commissioner directed the confirmation of the lease of the portion of the temple land to Gru. Sampangiah for the year 1920.(Rowdri) without conducting the proper auction sale, in spite of my repeated applications to the Taluk Office and the Deputy Commissioner intimating my willingness to take up the lease to the same amount of the highest bid that could be fetched in the auction sale

(2) With what particular motive the Taluk Authorities omitted to mention the portion of Survey No.379 in the original sale proclamation of December 1920, and if Sampangiah who was my former lessee and who had recently secured the lease for Rs.80 for the year Rowdri(1920), had really good intention and interest in the affair, why he failed to point out the omission, if any, in the extent of the land at the auction sales before the auction sale took place and how he managed to secure the lease for only Rs80. against the bid of Rs.[illegible] for the year 1920.

to make sure that your own lease for July 1967 agrainst his own
of Regarding the matter of the lease and how we managed to
be before the matter of the lease for July 1967, against his own
but I do not know, if any, in the extent to the authority
instruction and proceed in the matter, may be failed to point
that for [illegible] to July 1967 towards(13 0), and really good
who is [illegible] of Deposit in the 1% and of [illegible]
[illegible] of [illegible] dated 1% of June, No.470 in spite of
(.) With your instruction before the Saint Vanhoutt

I [illegible] that [illegible] to take to the same action of
of [illegible] to [illegible] in the [illegible] of the [illegible]
[illegible] with [illegible] (1967) to [illegible] and [illegible]
to [illegible] of [illegible] of the [illegible] land to
[illegible] of [illegible] of [illegible] of [illegible] of
[illegible] of [illegible] of [illegible] of [illegible] of
[illegible] of [illegible] of [illegible] of [illegible] of

(3) Are not the Government Endorsement of 1909 and the Deputy Commissioners endorsement of the 21st September 1920. sufficient authorities to prove that my presence at the auction sale is quite unnecessary? On the face of these specific authorities how the Deputy Commissioner is justified to insist upon my presence The object of holding the public sale of the right of the lease is to determine the highest bid and if I refuse to take up the lease on the highest bid secured, the authorities are at liberty to dispose of the lease otherwise.

(4) The time fixed for the annual payment of the lease amount in the sale proclamation of december 1920 varies with that shown in the proclamation dated 3rd February 1921. As such, can the sale of the 20th December 1920 be confirmed piece-meal until the sale of the lease of the other portion also is conducted. If at all the sale already conducted has to be given effect to, whether the lease should not be confirmed to me to the extent of the highest bid secured.

Under the above circumstances, I beg (1) that an immediate stay order may kindly be issued to the local authorities calling at the same time for the entire records together with my previous registered lease bond and the lease bond of Company for 1920, as well as my petitions praying for the renewal of the lease and (2) that the Deputy Commissioner be directed to fix the period of the lease for 10 or 15 years, instead of 5 years.

I beg to remain
sir

YOur most obedient petitioner

10th Feby 1921

H. Siddanthah
Clerk Revenue Surchind
Champion Avenue
Bangalore

A185

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

GENERAL AND REVENUE SECRETARIAT,

No. 2817 Enclosures returned herewith Dated Bangalore, 15th February 192 1.

Inam 354-20-15

From

T.E.Jayarama Aiyar, Esq., B.A., B.L.,

Secretary to the Government of His Highness the Maharaja of Mysore,
Muzrai Department.

To

M.A.Narayana Iyengar, Esq., B.A., B.L.,

Deputy Commissioner, Bangalore District,

BANGALORE.

Sir,

I am directed to forward herewith petition Registered No.1483 dated 14th January 1921, and subsequent petition Registered No.1670 dated 10th February 1921, with their enclosures, received from Mr.H.Srikantiah, Clerk, General and Revenue Secretariat, appealing against your order No.P.580 of 20-21 dated 30th December 1920, declining to accept his bid for the lease of a portion of Inam Survey No.379, ~~and~~ 380 and 406 of Budiguppa village, Kankanhalli Taluk, endowed to the Sri Mahadeveswara-swami temple at Malegal. I am to request that you will be so good as to submit the records of the case with a full report of the facts thereof. I am further to request that pending orders of Government on your report, you will be so good as to direct stay of further proceedings in pursuance of ~~the~~ your order under appeal.

I have the honour to be,

S I R,

Your most obedient servant,

Secretary to Government,

Muzrai Department.

HRR.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form.)

Immediate

No 2870 of 1925-26

Inspn 356-26-25

To

The Dy Com^r

Bangalore Dt.

Sir,

I am directed to forward herewith ~~for submission a report with Com^s records on~~ an ~~Appeal~~ Rct. reg^d No. 1483 dated 4th Jan^y 26 ↑ recd from Mr. H. Srin. Kantrao, Clerk, Sen^r Rev^e Accts Appealing against your order No. R. 580/20-4 dt 30. 12. 20 ~~directing him to the payment of the Audit fees of the base of~~ declining to accept his bid for the lease of ~~the~~ a portion of the Inam S. No. ~~land~~ 329 & 380 of 432 of Bodigeppe village, Kankanhalli Taluk endowed to the Sri Mahadeswara Swami temple at Malegal. I am ~~further~~ directed ~~to~~ further ~~request~~ ~~Proceedings~~ in the matter

and subsequent Rct reg^d. No. 1870 of 10th Feb^y 1926 with their Enclosures

that you will be pleased to call for the Records of the case with a full report of the facts thereof

GPB—10,000—22 2 11

am further to request that
pending disposal of the
Report, ~~further proceedings in~~
may be stayed pending the
~~disposal~~ final disposal of the
Appeal in question.

I have the
honour to be
Sir,
Your most obedient
humble servant,
Sd/-
15/4/21

Sir,

With reference to this appeal dated
14.2.21 appealing against the order
No. 580 of 20.12.20 & 30.12.20 passed by
the Deputy Commissioner, Bangalore declining to accept
the bid for the lease of
the Kondajeppi
Endowed to the Sri
at Malagal, Mr.
~~requested that~~ has been
forwarded for
disposal as
~~requested~~

Sri. Ram Sundar S.No. 377, 380 & 382
Ram Kumbalgi Taluk.
Ahadeveswara Swami temple
Nukambeyi, Mangalore
with regard to the
Sir. has been further
Regds

Endth

2833 - -
M.D. 354-20-5
dt 16.2.21

To

M^{r} H. Srikantaya
Clerk. yelahanka

With reference to his letter dt 14.2.21 appealing against the order of the Dy Com^{r} Bangalore No. 580 of 20-21 dt 30.12.20 declining to accept his bid for the lease of portions of Anumas SNo. 375, 380 & 432 of Bendiganahalli Kankanahally Vill. endowed to the Sri Mahadeveswara Swamy Temple at Hallig L. Mr H. Srikantaya, is informed that the appeal petn has been forwarded to the Com^{r} Bangalore Div for the orders of the Govt vide Govt Secretariat Cons Dept Memo dated [illegible] -~~passed by him~~ been requested

Order passed [illegible]
[illegible] requesting.

Office of the Deputy Commissioner,

Bangalore District,

No 886 Encl 17.18 Due by file

Dated Bangalore, the 2nd April 1921.

From - 2062

M. A. Narayana Iyengar, Esq., B.A., B.L.,

Deputy Commissioner,

Bangalore District.

REV. SECTION
APR 1921
1920 1921
SECTION Muzr
FILE No. 354-20
6

To

T. E. Jayarama Iyer, Esq., B.A., B.L.,

Secretary to the Government of Mysore,

Muzrai Department, Bangalore.

Sir,

With reference to your letter No.2817/Muz.354-20-5 dated 15th February 1921, re: the leasing out of the inam lands of Sri Mahadeveswara Swami Temple at Mallegal in Kankanhalli Taluk, I have the honor to state that the Amildar of Kankanhalli Taluk reports that by the time the order directing the stay of further proceedings was communicated to him, the sale had already been conducted, but that he has, however, issued orders not to allow the purchaser to remove the crops without his permission.

2. As regards the omission of a portion of S.No.379 in the sale proclamation, the Amildar reports that it was due to oversight. Soon after the sale was concluded and that on the representation of the pruchaser Pampangaya that some more land was left out the available records were referred to and the Amildar was not able to find it out. He therefore traced out the references from the D.C.B. accounts and the quitrent register soon after his return to Head Quarters and issued another proclamation for leasing out the said land and conducted the sale on 17th February 1921.

3. As per your letter No.2197/Muz.6-06 dated 7th June 1906 the appellant is no doubt entitled to some consideration provided he agrees to pay the same rent as is offered by any other person. It was on this consideration that he was getting the lease till the year 1918 at Rs.50/- per year.

4. Since the year 1918, there has been a keen competition between the appellant and the present purchaser Sampangaya. The former instead of competing and outbidding the latter, is putting a series of applications to gain his end. To put a stop to this end in the interest of the temple, the Amildar was ordered to issue necessary proclamation. Though the proclamation was duly served on the appellant, he has failed to appear at the sale and bid himself, but has filed a petition in this office after the sale was confirmed in favour of Sampangaya, that he is willing to pay the same amount. His petition was therefore rejected, in fairness to Sampangayya, who obtained the lease in open competition.

5. The entire vernacular records are herewith submitted.

I have the honor to be,

Sir,

Your most obedient servant,

M A Narayanaswamy

Deputy Commissioner,
Bangalore District.

Proceedings of the Government of H. H.
the Maharaja of Mysore.

Read:-

Government Order No.2197/Muz.6-06 dated 7th June 1909, directing that the lands gifted by one Seetamma to Sri Madhadeveswaraswami temple at Malgal, Kankanhalli Taluk, may be leased out to the petitioner, Mr.H.Srikantiah, Clerk, General and Revenue Secretariat, for a term, if he -- agreed to pay as much rent as any other - person.

7/24

(2) Petition Registered No.1483 dated 14th January 1921, from Mr.H.Srikantiah, Clerk, General and Revenue Secretariat, appealing against the Deputy Commissioner's order directing the sale of the right of cultivating the lands for a period of five years from 1921-22 and -- declining to grant a lease of the lands to him.

(3) Letter No.886 dated 2nd April 1921, from the Deputy Commissioner, --- Bangalore District, reporting on the -- above.

- - - - - - - - - - - -

Order No. 457-E
Tangedi

Dated Bangalore, June 1921.

One Seetamma made a gift of one-half of Kaji No.391, a dry land (which has been treated as Survey Nos.379 and 380), and also the whole of Kaji No.371 (a wet land corresponding to Survey No.

~~371~~ (a wet land corresponding to Survey No. 462) to the Mahadeveswaraswami temple at Inlegal, Kankanhalli Taluk, in 1894. She also made a gift of the other half of Haji No.391 to her daughter, who is the wife of the appellant. As a cultivation of portions of Survey Nos.379 and 380 by the -- tenants of (1) the temple and (2) ~~the~~ appellant's wife, led to quarrels between them, ~~the~~ appellant made a representation to Government, and it was ordered in Proceedings ~~dtd~~ dated 7th June 1909 that there seemed to be no objection to letting out the field to the petitioner if he agreed to pay as much rent as any other person. This order relates apparently only to Haji No.391 for appellant's wife has no share in Haji No.371. In pursuance of this order, appellant was in possession of the lands for 4 years from 1914-15, paying an annual rent of Rs.80/- One Sampangiah was the tenant in 1919-20.

2. On a representation made by appellant about the lease of the land to him from 1921-22, the Deputy Commissioner gave him an endorsement on 21st September 1920, that the lands would be let out to him in pursuance of the Government Order of 7th June 1909 for the highest amount that may be offered by others, and for no smaller sum.

3. Having issued this order, the Deputy Commissioner ought to have called for tenders, of selling the right of cultivation b

in the latter case, there

was a legal obligation to confirm the sale in the absence of material irregularity or illegality in publishing or conducting the sale and the grant of a lease to Mr. Srikantiah would not have been possible.

On his part also Mr. Soicumkahyles Lawd also have submitted his representation to the D.C. protesting against the sale but he chose, as he failed to do so.

5. At the sale, Campargiah took up Survey No.380 (half) for Rs.30/-, 379 (half) for Rs.60/-, and the whole of Survey No.432 for Rs.20/- for a period of 5 years.

6. On a consideration of all the circumstances connected with this case, Government are pleased to confirm the sale of Survey No.432 to Campargiah for a period of 5 years since the whole of it belongs to the temple.

7. As regards the sale of the other lands, Government observe that this is opposed to the spirit of the instructions of Government conveyed in their order of 7th June 1909 as well as to the endorsement issued by the Deputy Commissioner to the auctioneer on 21st September 1910. The sale therefore has been conducted in excess of the Deputy Commissioner's jurisdiction and must be set aside. Government direct that cultivation be given to the land for a period of one year for the sum offered by Campargiah at the sale.

6. To prevent future disputes, Survey Nos.379 and 380 ought to be shown and boundary marks fixed between the portions belonging to the temple and the

appellant's wife ~~and~~ The Survey Superintendent will be requested to ~~do~~ have the needful done in the -- matter.

Secretary to Government,

Muzrai Department.

To

The Deputy Commissioner, Bangalore District, with the records.

The Revenue Commissioner in Mysore.

The Survey Superintendent in Mysore.

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Copy to Revenue Secretariat.

HRR.